

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>GARY ANDERSON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>8:06CV332</b>
	)	
<b>DOUGLAS COUNTY SCHOOL DISTRICT 0001,</b>	)	<b>ORDER</b>
	)	
<b>Defendant.</b>	)	

This matter is before the court on the motion [13] of Vincent M. Powers for leave to withdraw as plaintiff's counsel, the plaintiff's response thereto [19], and Mr. Powers' request [17] that the progression order deadlines be extended. I find that Mr. Powers should be given leave to withdraw and that the progression order deadlines should be extended.

Mr. Powers did not comply with the directive that he serve a copy of the April 18, 2007 scheduling order on the plaintiff at his last known address and file proof of service with the court before the close of business on Monday, April 23, 2007. Nevertheless, the plaintiff's response indicates that plaintiff received a copy of the scheduling order on May 12, 2007.

For good cause shown,

**IT IS ORDERED:**

1. Counsel's Motion to Withdraw [13] is granted. Vincent M. Powers is given leave for leave to withdraw as plaintiff's counsel. The Clerk shall terminate counsel's appearance on the record, and enter the plaintiff's appearance pro se pending the appearance of substitute counsel.

2. Plaintiff, Gary Anderson, may retain substitute counsel at any time; however, until such time as substitute counsel enters a written appearance, plaintiff shall personally comply with all orders of this court, the Federal Rules of Civil Procedure, and the Local Rules of Practice.<sup>1</sup> Plaintiff shall also keep the court advised of his current address and telephone number at all times while this case is pending.

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<sup>1</sup>The Local Rules of Practice are posted on the internet at <http://www.ned.uscourts.gov/localrules/>.

3. The requests for extension of time [17] & [19] are granted as follows:

- a. The final pretrial conference set for September 17, 2007, and the trial set for October 16, 2007 are hereby cancelled and will be rescheduled by further order.
- b. All progression order deadlines which have not expired are suspended through **July 2, 2007** to allow plaintiff additional time to retain substitute counsel. If substitute counsel does not enter a written appearance in this court by the close of business (4:30 p.m.) on **June 25, 2007**, the court will assume that plaintiff does not intend to retain substitute counsel.

4. A conference with the undersigned magistrate judge will be held on **Monday, July 2, 2007 at 10:00 a.m.** in Courtroom No. 6, Second Floor, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska for the purpose of revising the case progression order and rescheduling the case to trial. **If substitute counsel has not been retained, the plaintiff shall attend the conference in person.** If substitute counsel has been retained, counsel may contact my chambers at least two business days in advance and arrange to hold the planning conference by telephone.

**DATED May 23, 2007.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**